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GOVERNMENT OF KERALA

Revenue (N) Department

NOTIFICATION

No. 1545/N1/69/RD. *Dated, Trivandrum, 1st March 1969.*

In exercise of the powers conferred by sub section (1) of Section 15 of the Kerala Record of Rights Act, 1968 (26 of 1968) the Government of Kerala hereby make the following rules, namely:—

The Kerala Record of Rights (Preparation and Maintenance) Rules, 1969.

1. *Short title and commencement.*—(1) These rules may be called the Kerala Record of Rights (Preparation and Maintenance) Rules, 1969.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires,

(a) "Act" means the Kerala Record of Rights Act, 1968 (26 of 1968);

(b) (i) the expressions "dry land", "garden", "Kaipad system of cultivation", "Kole nilam", "land owner", "Nilam", "palliyal land", "plantation", "private forests", "punam or Kumri Cultivation", shall have the meanings respectively assigned to them in the Kerala Land Reforms Act, 1963 (1 of 1964);

(ii) the expressions "intermediary" and "tenant" shall have the same meaning respectively assigned to them in the Kerala Stay of Eviction Proceedings Act, 1967 (9 of 1967);

(c) "Form" means a form appended to these rules;

(d) "Local authority" means a Municipal Corporation, or a Municipal Council or a township committee or a panchayat or a cantonment board;

(e) "Tahsildar" means Tahsildar holding charge of the Taluk in which the land is situate.

Preparation of Record of Rights.

3. *Prescribed officer to give public notice.*—As soon as may be after the publication of the notification by Government under section 3(1) of the Act, specifying the area in respect of which a record of rights is to be prepared the prescribed officer shall publish on the notice boards in the offices of the prescribed officer, the Village Officer of the Village and the local authority within whose jurisdictions the land is situate, a notice in Form No. 1 stating that he intends to prepare a record of rights for such area and calling upon the persons interested in the land in such area to supply all necessary information and render all assistance in the matter to the staff engaged in gathering the details for the preparation of the record of rights.

4. *Draft Record of Rights.*—(1) The prescribed officer shall after the publication of the notice in Form No. 1 arrange to collect necessary particulars required for the preparation of the draft record of rights.

(2) After collecting such particulars as are available, the prescribed officer shall prepare a draft record of rights in Form No. 2.

5. *Publication of draft record of rights.*—(1) The draft record of rights together with a notice in Form No. 3 shall be published on the notice boards in the offices of the prescribed officer, the Village Officer of the village and the local authority within whose jurisdictions the land is situate.

(2) Copies of the draft record of rights together with a notice in Form No. 4 shall also be served as far as possible individually on persons known or believed to be interested in the land.

6. *Hearing of claims and objections.*—The prescribed officer shall, after the expiry of the period fixed for the filing of claims and objections, scrutinise all the claims and objections in respect of each survey number or sub division as the case may be of the land and

after such scrutiny, he shall give notice in Form No. 5 to those persons who have filed such claims and objections and also to those persons whose interests are likely to be affected informing them that an opportunity of being heard will be given to them at the time and place mentioned in such notice.

(2) On the date fixed for the hearing or on such other dates to which the hearing may be adjourned, the prescribed officer shall duly enquire into the claims and objections and shall pass an order in writing recording his reasons therefor. The draft record of rights shall then be finalised after incorporating necessary amendments, if any. The final record of rights shall be in Form No. 2.

7. *Publication of record of rights.*—The record of rights finalised under rule 6 shall be published on the notice boards in the Offices of the prescribed officer, the Village Officer of the Village and the local authority within whose jurisdiction the land is situate. The date of such publication shall, as soon as possible, be notified in the Gazette.

8. *Communication of the orders under section 6 of the Act.*—The revisional authority appointed under section 6 of the Act shall send a copy of his order passed in revision to the prescribed officer.

9. *Prescribed officer on receipt of the order in revision to carry out necessary changes.*—The prescribed officer shall, on receipt of the copy of the revisional order, make modifications, if necessary, in the record of rights under his attestation.

Maintenance of Record of Rights.

10. *Arrangement of record of rights.*—The record of rights in respect of a Village shall be arranged Survey Number-wise and kept in a bound volume in the Taluk Office of the taluk in which the land is situate. The record of rights in each volume shall also be printed and copies of the printed record of rights shall be supplied to such officers, offices or institutions as may be specified by the Government, subject to such conditions which the Government may think fit to impose.

11. *Intimation of acquisition etc.*—The report under sub section (1) of Section 7 of the Act regarding acquisition of right over any land shall be in Form No. 6, and shall be made to the officer specified by the Government by notification under the said sub-section, within three months from the date of such acquisition.

12. *Entry of substance of report.*—The substance of the report received under rule 11 shall be entered in Form No. 7.

13. *Certified copies.*—Any person desiring to obtain certified copies of the entries in the record of rights may present an application for the purpose with a court fee stamp of 25 paise to the officer authorised to grant such copies.

Every such application shall be accompanied by sufficient number of copying sheets necessary for preparing the copy. The fee for a certified copy relating to the entry or entries of a record of rights in respect of a survey sub-division or a survey number, where there is no sub division, shall be rupee one and the same shall be paid in the form of court fee labels.

14. *Certified copies to be signed and sealed.*—All copies shall be certified to be true copies by the officer granting such copies and shall also be sealed with his office seal.

Inspection of the Record of Rights.

15. *Procedure for inspection.*—Any person desiring to inspect the record of rights shall present an application to the prescribed officer specifying the survey number and the sub-division number of the land mentioned in such record. The fee for such inspection shall be 25 paise and the applicant shall pay the fee in the form of court fee labels along with the application. On receipt of such application the prescribed officer shall arrange for the inspection in his presence, during office hours. The applicant shall, on payment of the inspection fee be entitled to read the entries in the record of rights specified in his application but he shall not be entitled to make a copy of the record of rights or part thereof or take extracts therefrom.

16. *Mode of Service.*—Any notice, order or requisition under the Act or these rules shall be served on the person concerned in the following manner, namely:—

(a) by delivery or tender to the person concerned or his counsel or his authorised agent; or

(b) by sending the notices or order or requisition to the person concerned by registered post with acknowledgement due; or

(c) by affixing the notice or order or requisition in some conspicuous part of the last known place of residence of the person concerned.

FORM No. 1

Public Notice of Preparation of Record of Rights

(See rule 3)

Office of the..........................

(Prescribed Officer)

PUBLIC NOTICE

The Government, have under section 3(1) of the Kerala Record of Rights Act, 1968 (26 of 1968), notified that record of rights shall be prepared in respect of the area comprised in the Village of........ taluk in.................... district .... In pursuance of the

notification referred to above the prescribed officer......................... (Here enter designation of the officer) intends to prepare a record of rights. All persons interested in the lands in the above area are hereby requested to supply all necessary information and to render all assistance in the matter to the staff engaged to collect the details for the preparation of the draft record of rights.

Designation of the Officer
(Prescribed Officer)

Place:
Date:

FORM 2

Draft/Final Record of Rights

[*See* Rules 4 and 6 (2)]

Name of District
Name of Taluk
Name of Village/Panchayat
No. and name of Block, if any

Sl.No.	*Resurvey No.*	*Sub division No.*	*Name of Village Sy. No. & Sub division No. according to the previous survey, if any*	*Extent*		*Class of land*
				Hectare	*Are*	
1	2 (a)	2 (b)	3	4		5

Note: (1) XX. Col. 5.

In this column classify the land under nilam (specify whether Kole nilam, Karinilam or land cultivated with Kaipad system of cultivation. Also specify whether single crop, Double crop or land on which more than 2 crops are raised).
or
Kayal Land
or
Palliyal land
or
Punam or Kumri cultivation
or
Garden
or
Private forest
or
Plantation
or
Dry land

FORM 2—(*Contd.*)

Whether irrigated and if so, the source of irrigation	*Principal crops raised on the land*	*If the land does not fall under any of the categories mentioned in column 5 the use to which it is put M*	*Name and address of land owner*
6	7	8	9

Column 8

(2) M—Classify under any one of the following Land comprised in Mills factories or workshop or

Sites of house, tanks, wells

or

Sites of temples, churches, mosques and cemeteries and burial or burning grounds

or

Sites of buildings including warehouse

or

Barren or uncultivable waste land

or

Cultivable waste land

or

Lands put to non agricultural use (here specify the use also) permanent pastures or other grazing lands, Misc. trees, crops and groves not included in the crops under garden or current fallows or other fallows.

Person in occupation of the land		*Intermediaries and other persons interested in the land*	
Name and address	*Nature and extent of interest* — *owner/Tenant/Mortgagee/ Nature of other interest*	*Name & Address*	*Nature & extent of interest*
10 (a)	10 (b)	11 (a)	11 (b)

Name and address of the Kudikidappu-karan if any	*Nature of easement right of Kudikidappu-karan*	*Nature of customary right of Kudikidappu-karan*	*In the case of the final record of right note the No. and date of the prescribed officer*	*Remarks*
12	13	14	15	16

FORM No. 3

[*See* Rule 5(1)]

Office of the..........................

(Prescribed Officer)

Notice is hereby given that a draft record of rights in respect of the land in survey No. and Sub Division No. in Block No.......... of Village in Taluk.................. in .... district has been prepared and that any person interested in the land may within a period of thirty days from the date of publication of this notice file his claims or objections, if any to any of the entries in the draft record of rights or to any omission therefrom together with the documents or other relevant evidence, if any, to substantiate his claims and objections. No claims or objections received after the period specified above will be considered.

A copy of the draft record of rights is herewith appended.

Signature and designation of the Officer.

Place:
Date:

(Prescribed Officer)

FORM No. 4

Notice to Individuals
[*See* rule 5(2)]

Office of the..........................

(Prescribed Officer)

To

....
....

Notice is hereby given that a draft record of rights in respect of the land in S. No.......... Sub Division No......... in Block No......... of .... Village in Taluk in .... District, has been prepared and you, Sri... may within a period of thirty days from the date of receipt of this notice, file your objection if any to any of the entries in the draft records of rights or to any omissions therefrom, together with the documents or other relevant evidence if any to substantiate your objection. No objection received after the period specified above will be considered.

A copy of the draft record of rights is herewith appended.

Signature and designation of the Officer.

Place:
Date:

(Prescribed Officer)

FORM No. 5

Notice to Individuals
[*See* rule 6(1)]

Office of the........................

(Prescribed Officer)

To

....

Whereas the................ (designation) (prescribed officer) has prepared a draft record of rights in respect of Sy/Sub division No...... Village in .... taluk in .... and whereas the same has been duty published;

And whereas claims and objections have been received in respect of the same from the person(s) mentioned below:

(Here note name and address of person who have filed claims and objections)

1.
2.
3.
4.
5.

2. You are hereby informed that the claims and objections so received will be enquired into by the prescribed officer at.............. A.N/F.N. on........... at...........

If you desire to be heard, you may appear in person or through an authorised agent on the date and time fixed for the hearing. If default is made in such appearance the matter will be decided in your absence and the draft records of rights finalised.

3. If you so desire you may obtain the certified copy of the claims/objections from the office of the...................... (Here enter designation)

(Prescribed Officer)

Place:

Date:

Signature

Designation

FORM No. 6

Report of Acquisition of Rights Over Lands

(*See* Rule II)

1. Name and address of the person making the report
2. Details of the land in respect of which the report is made

(a) Taluk	(b) Village	(c) Panchayat	(d) Block No.

(e) Sy. No.	(f) Sub-Dn. No.	(g) Sufficient details of property for identification

3. Nature of right acquired
4. Mode of acquisition (details of Documents if any to be furnished)
5. Date of acquisition
6. Name and address of person from whom acquired
7. Name and address of the person by whom acquired

Date:

Place:

Signature

FORM No. 7

Register of Reports under section 7(1) of the Act

(*See* Rule 12)

Name of Village — Survey No.

Panchayat — Sub Dn. No.

Sl. No.	*Survey report*	*Name and address of person who has acquired right*	*Name and address of the person from whom acquired*	*Nature of right acquired*	*Initials of the Officer*
1	2	3	4	5	6

By order of the Governor,
A. K. K. NAMBIAR,
Secretary.

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